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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/398,963	09/16/1999	KENNETH HANCOCK	3600/WWM/E19	1711

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EXAMINER

ROUVAS, NIKOLAOS

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 02/20/2003

#8

Please find below and/or attached an Office communication concerning this application or proceeding.

21

Office Action Summary

Application No.

09/398,963

Applicant(s)

HANCOCK ET AL.

Examiner

Nikolaos Rouvas

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

Art Unit: 2614

DETAILED ACTION

1. Applicant's arguments filed on 12/31/2002 have been fully considered but they are not persuasive. Applicant argues that Abecassis does not teach or suggest all of the features of Applicant's claim 1. The examiner respectfully disagrees and notes the following:

Abecassis clearly discloses a "two dimensional matrix... wherein either the rows... or the columns... correspond to overall program ratings... and specific program content indications" as claimed in claim 1. In Figure 4A, Abecassis discloses a matrix composed of rows and columns; the rows correspond to "program content indications", and the columns correspond to "overall program ratings" (or the TV Rating Codes of Applicant's Figure 23a). These program ratings are also illustrated in Figure 1A, element number 112. As Abecassis explains in the disclosure, "the coding scale 112 mirrors the rating system utilized by the Motion Picture Association of America" (column 8, lines 1-5)", which is illustrated in Figure 1D. Abecassis blocking system clearly operates via the "highlighting of individual tiles... based on the cursor movement commands" and the means for blocking clearly correspond to "the highlighted tiles when a selection command is entered into the input" as claimed in claim 1. Therefore, Abecassis obviously teaches or suggests all of the limitations of claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2614

2. Claims 1-4, 6-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,610,653 to Abecassis.

In regards to claims 1 and 7-9, Abecassis discloses a system that displays video according to a viewer's predefined preferences. An input device such as an "infrared mouse" (column 16, line 48) or a "remote control" (column 17, line 22) device is being used to transmit the viewer's selection commands to the system. A two-dimensional matrix or tile arrangement (Figures 4A, 4B, 4E) is the interface used to pass commands by highlighting (column 17, lines 29, 51, 57) the desirable option on a "content preference screen" (column 17, lines 51-52). This structure includes a sequence of content categories such as "violence" (column 7, line 63) arranged in rows, and a "coding scale" (column 8, line 1) arranged in columns, which is also illustrated in Figure 1A, element number 112. As Abecassis explains in the disclosure, "the coding scale 112 mirrors the rating system utilized by the Motion Picture Association of America" (column 8, lines 1-5)", which is illustrated in Figure 1D. The reference differs from what's claimed in that it does not disclose columns of "program ratings" per se, but rather a coding scheme, which is analogous to the well-known MPAA rating scheme. The examiner submits that it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the coding scheme format with the well-known MPAA rating format in order to provide the user with a familiar scheme as a basis from which to make selections.

In regards to claim 2, as explained in the paragraph above, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the coding scheme format with the well-known MPAA rating format (PG, PG-13, and so on) in order to provide the user with a familiar scheme as a basis from which to make selections. It is noted that

Art Unit: 2614

the examiner need only meet one of the Markush group of content indicators to satisfy the claim limitations.

In regards to claims 3 and 4, the reference clearly discloses a number of content categories including violence, nudity, sex, and profanity (Figure 4A).

In regards to claim 6, Abecassis discloses a display with a list of users as illustrated in Figure 4D. Since each programming is tailored according to each user's input, the display will inherently vary according to each user. Abecassis does not disclose this particular display to be in matrix form. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Abecassis to present the list of users in a matrix form in order to provide the user with an easy-to-navigate interface.

In regards to claim 10, Abecassis does not explicitly disclose circuitry that performs the blocking in his system. The examiner takes OFFICIAL NOTICE that such circuitry is notoriously well known in the art, e.g., in the form of V-CHIPS. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Abecassis's system in a V-CHIP in order to conform with the industry's most common practices.

In regards to claims 11-13, the method described is composed of the same structural elements described in claims 1-9. Therefore, the same reasons for rejection apply.

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis in view of U.S. Patent No. 5,969,748 to Casement et al.

In regards to claim 5, Abecassis does not disclose an option to globally enable viewing of programs. Casement however, in Figure 2B, illustrates an option a user can choose to unlock all locks, i.e., to enable viewing of programs globally. Therefore, it would have been obvious to one

Art Unit: 2614

having ordinary skill in the art at the time the invention was made to modify Abecassis with Casement to include the option to globally enable viewing of programs, in order to make it easier for a user with appropriate access rights (e.g. parent) to navigate through all types of available programming.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Nikolaos Rouvas** whose telephone number is **(703) 305-6955**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Miller**, can be reached at **(703) 305-4795**.

Any response to this action should be mailed to:

Art Unit: 2614

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377.



JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600